

Senate File 447 - Reprinted

SENATE FILE 447

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1249)

(As Amended and Passed by the Senate April 18, 2013)

A BILL FOR

1 An Act relating to appropriations to the justice system and
2 including effective dates.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. DEPARTMENT OF JUSTICE.

2 1. There is appropriated from the general fund of the state
3 to the department of justice for the fiscal year beginning July
4 1, 2013, and ending June 30, 2014, the following amounts, or
5 so much thereof as is necessary, to be used for the purposes
6 designated:

7 a. For the general office of attorney general for salaries,
8 support, maintenance, and miscellaneous purposes, including
9 the prosecuting attorneys training program, matching funds
10 for federal violence against women grant programs, victim
11 assistance grants, office of drug control policy prosecuting
12 attorney program, and odometer fraud enforcement, and for not
13 more than the following full-time equivalent positions:

14 \$ 7,967,930

15	FTEs	214.00
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16 It is the intent of the general assembly that as a condition
17 of receiving the appropriation provided in this lettered
18 paragraph, the department of justice shall maintain a record
19 of the estimated time incurred representing each agency or
20 department.

21 b. For victim assistance grants:

22 \$ 8,876,400

23 The funds appropriated in this lettered paragraph shall be
24 used to provide grants to care providers providing services to
25 crime victims of domestic abuse or to crime victims of rape and
26 sexual assault. The department of justice shall not require a
27 care provider to close a shelter as a condition of receiving a
28 grant pursuant to this paragraph.

Up to \$2,000,000 of the amount appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse, or to crime victims of rape and sexual assault, for the purpose of ensuring an orderly and efficient transition of crime victim services to the new regional reorganization plan, with priority given to care providers that received a grant during a previous

1 fiscal year but did not receive a grant under the new regional
2 reorganization plan.

3 The balance of the victim compensation fund established in
4 section 915.94 may be used to provide salary and support of not
5 more than 24.00 FTEs and to provide maintenance for the victim
6 compensation functions of the department of justice.

7 The department of justice shall transfer at least \$150,000
8 from the victim compensation fund established in section 915.94
9 to the victim assistance grant program.

10 Notwithstanding section 8.33, moneys appropriated in this
11 paragraph that remain unencumbered or unobligated at the close
12 of the fiscal year shall not revert but shall remain available
13 for expenditure for the purposes designated until the close of
14 the succeeding fiscal year.

15 c. For legal services for persons in poverty grants as
16 provided in section 13.34:

17 \$ 2,400,000

18 2. a. The department of justice, in submitting budget
19 estimates for the fiscal year commencing July 1, 2014, pursuant
20 to section 8.23, shall include a report of funding from sources
21 other than amounts appropriated directly from the general fund
22 of the state to the department of justice or to the office of
23 consumer advocate. These funding sources shall include but
24 are not limited to reimbursements from other state agencies,
25 commissions, boards, or similar entities, and reimbursements
26 from special funds or internal accounts within the department
27 of justice. The department of justice shall also report actual
28 reimbursements for the fiscal year commencing July 1, 2012,
29 and actual and expected reimbursements for the fiscal year
30 commencing July 1, 2013.

31 b. The department of justice shall include the report
32 required under paragraph "a", as well as information regarding
33 any revisions occurring as a result of reimbursements actually
34 received or expected at a later date, in a report to the
35 co-chairpersons and ranking members of the joint appropriations

1 subcommittee on the justice system and the legislative services
2 agency. The department of justice shall submit the report on
3 or before January 15, 2014.

4 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
5 from the department of commerce revolving fund created in
6 section 546.12 to the office of consumer advocate of the
7 department of justice for the fiscal year beginning July 1,
8 2013, and ending June 30, 2014, the following amount, or so
9 much thereof as is necessary, to be used for the purposes
10 designated:

11 For salaries, support, maintenance, miscellaneous purposes,
12 and for not more than the following full-time equivalent
13 positions:

14	\$	3,136,163
15	FTEs	22.00

16 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

17 1. There is appropriated from the general fund of the
18 state to the department of corrections for the fiscal year
19 beginning July 1, 2013, and ending June 30, 2014, the following
20 amounts, or so much thereof as is necessary, to be used for the
21 operation of adult correctional institutions, reimbursement
22 of counties for certain confinement costs, and federal prison
23 reimbursement, to be allocated as follows:

24 a. For the operation of the Fort Madison correctional
25 facility, including salaries, support, maintenance, and
26 miscellaneous purposes:

27	\$	51,645,396
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28 The department shall operate the clinical care unit at a
29 capacity of at least 160 beds. The department shall also
30 operate the John Bennett unit to house minimum security
31 inmates until the bunkhouse at farm one, Fort Madison, has been
32 renovated or replaced.

33 The department of corrections shall submit, to the
34 co-chairpersons and ranking members of the joint appropriations
35 subcommittee on the justice system by January 15, 2014, the

1 plans for the integration of the John Bennett facility and the
 2 clinical care unit into the new Fort Madison maximum security
 3 correctional facility and the future plans for the use of the
 4 current Fort Madison maximum security correctional facility
 5 after the inmates are transferred to the new facility.

6 b. For the operation of the Anamosa correctional facility,
 7 including salaries, support, maintenance, and miscellaneous
 8 purposes:

9 \$ 32,183,850

10 c. For the operation of the Luster Heights prison camp:

11 \$ 1,643,039

12 d. For the operation of the Oakdale correctional facility,
 13 including salaries, support, maintenance, and miscellaneous
 14 purposes:

15 \$ 58,550,123

16 e. For the operation of the Newton correctional facility,
 17 including salaries, support, maintenance, and miscellaneous
 18 purposes:

19 \$ 27,348,450

20 f. For the operation of the Mt. Pleasant correctional
 21 facility, including salaries, support, maintenance, and
 22 miscellaneous purposes:

23 \$ 25,573,157

24 g. For the operation of the Rockwell City correctional
 25 facility, including salaries, support, maintenance, and
 26 miscellaneous purposes:

27 \$ 9,836,698

28 h. For the operation of the Clarinda correctional facility,
 29 including salaries, support, maintenance, and miscellaneous
 30 purposes:

31 \$ 25,982,680

32 Moneys received by the department of corrections as
 33 reimbursement for services provided to the Clarinda youth
 34 corporation are appropriated to the department and shall be
 35 used for the purpose of operating the Clarinda correctional

1 facility.

2 i. For the operation of the Mitchellville correctional
3 facility, including salaries, support, maintenance, and
4 miscellaneous purposes:

5 \$ 20,088,953

6 j. For the operation of the Fort Dodge correctional
7 facility, including salaries, support, maintenance, and
8 miscellaneous purposes:

9 \$ 30,157,258

10 k. For reimbursement of counties for temporary confinement
11 of work release and parole violators, as provided in sections
12 901.7, 904.908, and 906.17, and for offenders confined pursuant
13 to section 904.513:

14 \$ 1,075,092

15 l. For federal prison reimbursement, reimbursements for
16 out-of-state placements, and miscellaneous contracts:

17 \$ 484,411

18 2. The department of corrections shall use moneys
19 appropriated in subsection 1 to continue to contract for the
20 services of a Muslim imam and a Native American spiritual
21 leader.

22 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION. There
23 is appropriated from the general fund of the state to the
24 department of corrections for the fiscal year beginning July
25 1, 2013, and ending June 30, 2014, the following amounts, or
26 so much thereof as is necessary, to be used for the purposes
27 designated:

28 1. For general administration, including salaries, support,
29 maintenance, employment of an education director to administer
30 a centralized education program for the correctional system,
31 and miscellaneous purposes:

32 \$ 4,831,582

33 a. It is the intent of the general assembly that as a
34 condition of receiving the appropriation provided in this
35 lettered paragraph the department of corrections shall not,

1 except as otherwise provided in paragraph "c", enter into a
 2 new contract, unless the contract is a renewal of an existing
 3 contract, for the expenditure of moneys in excess of \$100,000
 4 during the fiscal year beginning July 1, 2013, for the
 5 privatization of services performed by the department using
 6 state employees as of July 1, 2013, or for the privatization
 7 of new services by the department without prior consultation
 8 with any applicable state employee organization affected
 9 by the proposed new contract and prior notification of the
 10 co-chairpersons and ranking members of the joint appropriations
 11 subcommittee on the justice system.

12 b. It is the intent of the general assembly that each
 13 lease negotiated by the department of corrections with a
 14 private corporation for the purpose of providing private
 15 industry employment of inmates in a correctional institution
 16 shall prohibit the private corporation from utilizing inmate
 17 labor for partisan political purposes for any person seeking
 18 election to public office in this state and that a violation
 19 of this requirement shall result in a termination of the lease
 20 agreement.

21 c. It is the intent of the general assembly that as a
 22 condition of receiving the appropriation provided in this
 23 subsection the department of corrections shall not enter into
 24 a lease or contractual agreement pursuant to section 904.809
 25 with a private corporation for the use of building space for
 26 the purpose of providing inmate employment without providing
 27 that the terms of the lease or contract establish safeguards to
 28 restrict, to the greatest extent feasible, access by inmates
 29 working for the private corporation to personal identifying
 30 information of citizens.

31 2. For educational programs for inmates at state penal
 32 institutions:

33 \$ 2,858,109

34 a. As a condition of receiving the appropriation in this
 35 subsection, the department of corrections shall transfer at

1 least \$150,000 from the canteen operating funds established
 2 pursuant to section 904.310 to be used for correctional
 3 educational programs funded in this subsection.

4 b. It is the intent of the general assembly that moneys
 5 appropriated in this subsection shall be used solely for the
 6 purpose indicated and that the moneys shall not be transferred
 7 for any other purpose. In addition, it is the intent of the
 8 general assembly that the department shall consult with the
 9 community colleges in the areas in which the institutions are
 10 located to utilize moneys appropriated in this subsection
 11 to fund the high school completion, high school equivalency
 12 diploma, adult literacy, and adult basic education programs in
 13 a manner so as to maintain these programs at the institutions.

14 c. To maximize the funding for educational programs,
 15 the department shall establish guidelines and procedures to
 16 prioritize the availability of educational and vocational
 17 training for inmates based upon the goal of facilitating an
 18 inmate's successful release from the correctional institution.

19 d. The director of the department of corrections may
 20 transfer moneys from Iowa prison industries for use in
 21 supporting educational programs for inmates.

22 e. Notwithstanding section 8.33, moneys appropriated in
 23 this subsection that remain unobligated or unexpended at the
 24 close of the fiscal year shall not revert but shall remain
 25 available to be used only for the purposes designated in this
 26 subsection until the close of the succeeding fiscal year.

27 3. For the development of the Iowa corrections offender
 28 network (ICON) data system:

29 \$ 2,000,000

30 4. For offender mental health and substance abuse
 31 treatment:

32 \$ 22,319

33 5. For viral hepatitis prevention and treatment:

34 \$ 167,881

35 6. It is the intent of the general assembly that for

1 the fiscal year addressed by this section the department of
 2 corrections shall continue to operate the correctional farms
 3 under the control of the department at the same or greater
 4 level of participation and involvement as existed as of January
 5 1, 2011; shall not enter into any rental agreement or contract
 6 concerning any farmland under the control of the department
 7 that is not subject to a rental agreement or contract as of
 8 January 1, 2011, without prior legislative approval; and
 9 shall further attempt to provide job opportunities at the
 10 farms for inmates. The department shall attempt to provide
 11 job opportunities at the farms for inmates by encouraging
 12 labor-intensive farming or gardening where appropriate; using
 13 inmates to grow produce and meat for institutional consumption;
 14 researching the possibility of instituting food canning
 15 and cook-and-chill operations; and exploring opportunities
 16 for organic farming and gardening, livestock ventures,
 17 horticulture, and specialized crops.

18 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 19 SERVICES.

20 1. There is appropriated from the general fund of the state
 21 to the department of corrections for the fiscal year beginning
 22 July 1, 2013, and ending June 30, 2014, for salaries, support,
 23 maintenance, and miscellaneous purposes, the following amounts,
 24 or so much thereof as is necessary, to be allocated as follows:

25 a. For the first judicial district department of
 26 correctional services:

27 \$ 14,099,085

28 b. For the second judicial district department of
 29 correctional services:

30 \$ 11,099,457

31 c. For the third judicial district department of
 32 correctional services:

33 \$ 7,105,865

34 d. For the fourth judicial district department of
 35 correctional services:

1 \$ 5,552,458

2 e. For the fifth judicial district department of

3 correctional services, including funding for electronic

4 monitoring devices for use on a statewide basis:

5 \$ 20,367,463

6 f. For the sixth judicial district department of

7 correctional services:

8 \$ 16,461,170

9 g. For the seventh judicial district department of

10 correctional services:

11 \$ 7,609,781

12 h. For the eighth judicial district department of

13 correctional services:

14 \$ 8,206,613

15 2. Each judicial district department of correctional

16 services, within the funding available, shall continue programs

17 and plans established within that district to provide for

18 intensive supervision, sex offender treatment, diversion of

19 low-risk offenders to the least restrictive sanction available,

20 job development, and expanded use of intermediate criminal

21 sanctions.

22 3. Each judicial district department of correctional

23 services shall provide alternatives to prison consistent with

24 chapter 901B. The alternatives to prison shall ensure public

25 safety while providing maximum rehabilitation to the offender.

26 A judicial district department of correctional services may

27 also establish a day program.

28 4. The governor's office of drug control policy shall

29 consider federal grants made to the department of corrections

30 for the benefit of each of the eight judicial district

31 departments of correctional services as local government

32 grants, as defined pursuant to federal regulations.

33 5. The department of corrections shall continue to contract

34 with a judicial district department of correctional services to

35 provide for the rental of electronic monitoring equipment which

1 shall be available statewide.

2 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
3 APPROPRIATIONS. Notwithstanding section 8.39, within the
4 moneys appropriated in this division of this Act to the
5 department of corrections, the department may reallocate the
6 moneys appropriated and allocated as necessary to best fulfill
7 the needs of the correctional institutions, administration
8 of the department, and the judicial district departments of
9 correctional services. However, in addition to complying with
10 the requirements of sections 904.116 and 905.8 and providing
11 notice to the legislative services agency and the chairpersons
12 and ranking members of the joint appropriations subcommittee
13 on the justice system, the department of corrections shall
14 also provide notice to the department of management, prior
15 to the effective date of the revision or reallocation of an
16 appropriation made pursuant to this section. The department of
17 corrections shall not reallocate an appropriation or allocation
18 for the purpose of eliminating any program.

19 Sec. 7. INTENT — REPORTS.

20 1. The department of corrections in cooperation with
21 townships, the Iowa cemetery associations, and other nonprofit
22 or governmental entities may use inmate labor during the
23 fiscal year beginning July 1, 2013, to restore or preserve
24 rural cemeteries and historical landmarks. The department in
25 cooperation with the counties may also use inmate labor to
26 clean up roads, major water sources, and other water sources
27 around the state.

28 2. On a quarterly basis the department shall provide a
29 status report regarding private-sector employment to the
30 legislative services agency beginning on July 1, 2013. The
31 report shall include the number of offenders employed in the
32 private sector, the combined number of hours worked by the
33 offenders, the total amount of allowances, and the distribution
34 of allowances pursuant to section 904.702, including any moneys
35 deposited in the general fund of the state.

1 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
2 corrections shall submit a report on electronic monitoring to
3 the general assembly, to the co-chairpersons and the ranking
4 members of the joint appropriations subcommittee on the justice
5 system, and to the legislative services agency by January
6 15, 2014. The report shall specifically address the number
7 of persons being electronically monitored and break down the
8 number of persons being electronically monitored by offense
9 committed. The report shall also include a comparison of any
10 data from the prior fiscal year with the current year.

11 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

12 1. As used in this section, unless the context otherwise
13 requires, "state agency" means the government of the state
14 of Iowa, including but not limited to all executive branch
15 departments, agencies, boards, bureaus, and commissions, the
16 judicial branch, the general assembly and all legislative
17 agencies, institutions within the purview of the state board of
18 regents, and any corporation whose primary function is to act
19 as an instrumentality of the state.

20 2. State agencies are hereby encouraged to purchase
21 products from Iowa state industries, as defined in section
22 904.802, when purchases are required and the products are
23 available from Iowa state industries. State agencies shall
24 obtain bids from Iowa state industries for purchases of
25 office furniture during the fiscal year beginning July 1,
26 2013, exceeding \$5,000 or in accordance with applicable
27 administrative rules related to purchases for the agency.

28 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

29 1. There is appropriated from the general fund of the
30 state to the Iowa law enforcement academy for the fiscal year
31 beginning July 1, 2013, and ending June 30, 2014, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purposes designated:

34 For salaries, support, maintenance, miscellaneous purposes,
35 including jailer training and technical assistance, and for not

1 more than the following full-time equivalent positions:

2 \$ 1,001,698

3 FTEs 23.88

4 It is the intent of the general assembly that the Iowa law
5 enforcement academy may provide training of state and local
6 law enforcement personnel concerning the recognition of and
7 response to persons with Alzheimer's disease.

8 The Iowa law enforcement academy may temporarily exceed and
9 draw more than the amount appropriated in this subsection and
10 incur a negative cash balance as long as there are receivables
11 equal to or greater than the negative balance and the amount
12 appropriated in this subsection is not exceeded at the close
13 of the fiscal year.

14 2. The Iowa law enforcement academy may select at least
15 five automobiles of the department of public safety, division
16 of state patrol, prior to turning over the automobiles to
17 the department of administrative services to be disposed
18 of by public auction, and the Iowa law enforcement academy
19 may exchange any automobile owned by the academy for each
20 automobile selected if the selected automobile is used in
21 training law enforcement officers at the academy. However, any
22 automobile exchanged by the academy shall be substituted for
23 the selected vehicle of the department of public safety and
24 sold by public auction with the receipts being deposited in the
25 depreciation fund to the credit of the department of public
26 safety, division of state patrol.

27 Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from
28 the general fund of the state to the office of the state public
29 defender of the department of inspections and appeals for the
30 fiscal year beginning July 1, 2013, and ending June 30, 2014,
31 the following amounts, or so much thereof as is necessary, to
32 be allocated as follows for the purposes designated:

33 1. For salaries, support, maintenance, miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 25,862,182
 2 FTEs 219.00
 3 2. For payments on behalf of eligible adults and juveniles
 4 from the indigent defense fund, in accordance with section
 5 815.11:
 6 \$ 29,901,929
 7 Sec. 12. BOARD OF PAROLE. There is appropriated from the
 8 general fund of the state to the board of parole for the fiscal
 9 year beginning July 1, 2013, and ending June 30, 2014, the
 10 following amount, or so much thereof as is necessary, to be
 11 used for the purposes designated:
 12 For salaries, support, maintenance, miscellaneous purposes,
 13 and for not more than the following full-time equivalent
 14 positions:
 15 \$ 1,203,835
 16 FTEs 11.00
 17 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
 18 appropriated from the general fund of the state to the
 19 department of public defense for the fiscal year beginning July
 20 1, 2013, and ending June 30, 2014, the following amounts, or
 21 so much thereof as is necessary, to be used for the purposes
 22 designated:
 23 1. MILITARY DIVISION
 24 For salaries, support, maintenance, miscellaneous purposes,
 25 and for not more than the following full-time equivalent
 26 positions:
 27 \$ 6,527,042
 28 FTEs 293.61
 29 The military division may temporarily exceed and draw more
 30 than the amount appropriated in this subsection and incur a
 31 negative cash balance as long as there are receivables of
 32 federal funds equal to or greater than the negative balance and
 33 the amount appropriated in this subsection is not exceeded at
 34 the close of the fiscal year.
 35 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION OR

1 SUCCESSOR AGENCY

2 For salaries, support, maintenance, miscellaneous purposes,
3 and for not more than the following full-time equivalent
4 positions:

5	\$	2,174,277
6	FTEs	33.40

7 The homeland security and emergency management division or
8 successor agency may temporarily exceed and draw more than the
9 amount appropriated in this subsection and incur a negative
10 cash balance as long as there are receivables of federal funds
11 equal to or greater than the negative balance and the amount
12 appropriated in this subsection is not exceeded at the close
13 of the fiscal year.

14 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
15 from the general fund of the state to the department of public
16 safety for the fiscal year beginning July 1, 2013, and ending
17 June 30, 2014, the following amounts, or so much thereof as is
18 necessary, to be used for the purposes designated:

19 1. For the department's administrative functions, including
20 the criminal justice information system, and for not more than
21 the following full-time equivalent positions:

22	\$	4,067,054
23	FTEs	38.00

24 2. For the division of criminal investigation, including
25 the state's contribution to the peace officers' retirement,
26 accident, and disability system provided in chapter 97A in the
27 amount of the state's normal contribution rate, as defined in
28 section 97A.8, multiplied by the salaries for which the moneys
29 are appropriated, to meet federal fund matching requirements,
30 and for not more than the following full-time equivalent
31 positions:

32	\$	12,933,414
33	FTEs	149.60

34 The department, within available funding, shall investigate
35 cold cases involving murder and other criminal offenses.

1 3. For the criminalistics laboratory fund created in
2 section 691.9:
3 \$ 302,345
4 4. a. For the division of narcotics enforcement, including
5 the state's contribution to the peace officers' retirement,
6 accident, and disability system provided in chapter 97A in the
7 amount of the state's normal contribution rate, as defined in
8 section 97A.8, multiplied by the salaries for which the moneys
9 are appropriated, to meet federal fund matching requirements,
10 and for not more than the following full-time equivalent
11 positions:
12 \$ 6,755,855
13 FTEs 66.00
14 b. For the division of narcotics enforcement for undercover
15 purchases:
16 \$ 109,042
17 5. For the division of state fire marshal, for fire
18 protection services as provided through the state fire service
19 and emergency response council as created in the department,
20 and for the state's contribution to the peace officers'
21 retirement, accident, and disability system provided in chapter
22 97A in the amount of the state's normal contribution rate,
23 as defined in section 97A.8, multiplied by the salaries for
24 which the moneys are appropriated, and for not more than the
25 following full-time equivalent positions:
26 \$ 4,470,556
27 FTEs 53.00
28 6. For the division of state patrol, for salaries, support,
29 maintenance, workers' compensation costs, and miscellaneous
30 purposes, including the state's contribution to the peace
31 officers' retirement, accident, and disability system provided
32 in chapter 97A in the amount of the state's normal contribution
33 rate, as defined in section 97A.8, multiplied by the salaries
34 for which the moneys are appropriated, and for not more than
35 the following full-time equivalent positions:

1 \$ 57,036,208
2 FTEs 506.22
3 7. For deposit in the sick leave benefits fund established
4 under section 80.42 for all departmental employees eligible to
5 receive benefits for accrued sick leave under the collective
6 bargaining agreement:
7 \$ 279,517
8 8. For costs associated with the training and equipment
9 needs of volunteer fire fighters:
10 \$ 725,520
11 a. Notwithstanding section 8.33, moneys appropriated in
12 this subsection that remain unencumbered or unobligated at the
13 close of the fiscal year shall not revert but shall remain
14 available for expenditure only for the purpose designated in
15 this subsection until the close of the succeeding fiscal year.
16 b. Notwithstanding section 8.39, the department of public
17 safety may reallocate moneys appropriated in this section
18 as necessary to best fulfill the needs provided for in the
19 appropriation. However, the department shall not reallocate
20 moneys appropriated to the department in this section unless
21 notice of the reallocation is given to the legislative services
22 agency, the chairpersons and ranking members of the joint
23 appropriations subcommittee on the justice system, and the
24 department of management prior to the effective date of the
25 reallocation. The notice shall include information regarding
26 the rationale for reallocating the moneys. The department
27 shall not reallocate moneys appropriated in this section for
28 the purpose of eliminating any program.
29 Sec. 15. GAMING ENFORCEMENT.
30 1. There is appropriated from the gaming enforcement
31 revolving fund created in section 80.43 to the department of
32 public safety for the fiscal year beginning July 1, 2013, and
33 ending June 30, 2014, the following amount, or so much thereof
34 as is necessary, to be used for the purposes designated:
35 For any direct support costs for agents and officers of

1 the division of criminal investigation's excursion gambling
 2 boat, gambling structure, and racetrack enclosure enforcement
 3 activities, including salaries, support, maintenance,
 4 miscellaneous purposes, and for not more than the following
 5 full-time equivalent positions:

6 \$ 10,898,008
 7 FTEs 115.00

8 2. For each additional license to conduct gambling games on
 9 an excursion gambling boat, gambling structure, or racetrack
 10 enclosure issued during the fiscal year beginning July 1, 2013,
 11 there is appropriated from the gaming enforcement fund to the
 12 department of public safety for the fiscal year beginning July
 13 1, 2013, and ending June 30, 2014, an additional amount of not
 14 more than \$300,000 to be used for not more than 3.00 additional
 15 full-time equivalent positions.

16 3. The department of public safety, with the approval of the
 17 department of management, may employ no more than three special
 18 agents for each additional riverboat or gambling structure
 19 regulated after July 1, 2013, and three special agents for
 20 each racing facility which becomes operational during the
 21 fiscal year which begins July 1, 2013. Positions authorized
 22 in this subsection are in addition to the full-time equivalent
 23 positions otherwise authorized in this section.

24 Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated
 25 from the general fund of the state to the Iowa state civil
 26 rights commission for the fiscal year beginning July 1,
 27 2013, and ending June 30, 2014, the following amount, or so
 28 much thereof as is necessary, to be used for the purposes
 29 designated:

30 For salaries, support, maintenance, miscellaneous purposes,
 31 and for not more than the following full-time equivalent
 32 positions:

33 \$ 1,297,069
 34 FTEs 28.00

35 The Iowa state civil rights commission may enter into

1 a contract with a nonprofit organization to provide legal
2 assistance to resolve civil rights complaints.

3 Sec. 17. CRIMINAL AND JUVENILE JUSTICE PLANNING

4 DIVISION. There is appropriated from the general fund of the
5 state to the criminal and juvenile justice planning division of
6 the department of human rights for the fiscal year beginning
7 July 1, 2013, and ending June 30, 2014, the following amounts,
8 or so much thereof as is necessary, to be used for the purposes
9 designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

13	\$	1,260,105
14	FTEs	10.81

15 The criminal and juvenile justice planning advisory council
16 and the juvenile justice advisory council shall coordinate
17 their efforts in carrying out their respective duties relative
18 to juvenile justice.

19 Sec. 18. HOMELAND SECURITY AND EMERGENCY MANAGEMENT

20 DIVISION OR SUCCESSOR AGENCY. There is appropriated from the
21 wireless E911 emergency communications fund created in section
22 34A.7A to the homeland security and emergency management
23 division of the department of public defense or successor
24 agency for the fiscal year beginning July 1, 2013, and ending
25 June 30, 2014, an amount not exceeding \$250,000 to be used for
26 implementation, support, and maintenance of the functions of
27 the administrator and program manager under chapter 34A and to
28 employ the auditor of the state to perform an annual audit of
29 the wireless E911 emergency communications fund.

30 Sec. 19. NEW SECTION. 80.44 Public safety broadband
31 interoperability communications fund.

32 1. A statewide public safety broadband interoperability
33 communications fund is established in the office of the
34 treasurer of state under the control of the department of
35 public safety. Any moneys annually appropriated, granted,

1 or credited to the fund, including any federal moneys, are
2 appropriated to the department of public safety for the
3 planning and development of a statewide public safety broadband
4 interoperability communications system.

5 2. Notwithstanding section 12C.7, subsection 2, interest
6 and earnings on moneys deposited in the fund shall be credited
7 to the fund. Notwithstanding section 8.33, moneys credited to
8 the fund shall not revert to any other fund but shall remain
9 available to be used for the purposes specified in subsection
10 1.

11 Sec. 20. Section 85.67, Code 2013, is amended to read as
12 follows:

13 **85.67 Administration of fund — special counsel — payment of**
14 **award.**

15 The attorney general shall appoint a staff member
16 to represent the treasurer of state and the fund in all
17 proceedings and matters arising under this division. The
18 attorney general shall be reimbursed up to ~~one hundred fifty~~
19 two hundred fifteen thousand dollars annually from the fund
20 for services provided related to the fund. The commissioner
21 of insurance shall consider the reimbursement to the attorney
22 general as an outstanding liability when making a determination
23 of funding availability under section 85.65A, subsection
24 2. In making an award under this division, the workers'
25 compensation commissioner shall specifically find the amount
26 the injured employee shall be paid weekly, the number of weeks
27 of compensation which shall be paid by the employer, the date
28 upon which payments out of the fund shall begin, and, if
29 possible, the length of time the payments shall continue.

30 Sec. 21. Section 99D.14, subsection 2, paragraph a, Code
31 2013, is amended to read as follows:

32 a. A licensee shall pay a regulatory fee to be charged as
33 provided in this section. In determining the regulatory fee
34 to be charged as provided under this section, the commission
35 shall use the amount appropriated to the commission plus the

1 cost of salaries for no more than ~~two~~ three special agents for
 2 each racetrack that has not been issued a table games license
 3 under chapter 99F or no more than three special agents for each
 4 racetrack that has been issued a table games license under
 5 chapter 99F, plus any direct and indirect support costs for the
 6 agents, for the division of criminal investigation's racetrack
 7 activities, as the basis for determining the amount of revenue
 8 to be raised from the regulatory fee.

9 Sec. 22. Section 99D.14, subsection 2, Code 2013, is amended
 10 by adding the following new paragraph:

11 NEW PARAGRAPH. *d.* By January 1, 2015, and by January 1 of
 12 every year thereafter, the division of criminal investigation
 13 shall provide the commission with a report detailing the
 14 activities of the division during the previous fiscal year for
 15 each racetrack enclosure.

16 Sec. 23. Section 99F.10, subsection 4, Code 2013, is amended
 17 to read as follows:

18 4. *a.* In determining the license fees and state regulatory
 19 fees to be charged as provided under section 99F.4 and this
 20 section, the commission shall use as the basis for determining
 21 the amount of revenue to be raised from the license fees and
 22 regulatory fees the amount appropriated to the commission plus
 23 the following as applicable:

24 (1) Prior to July 1, 2017, the cost of salaries for no more
 25 than two special agents for each excursion gambling boat or
 26 gambling structure and no more than four gaming enforcement
 27 officers for each excursion gambling boat or gambling structure
 28 with a patron capacity of less than two thousand persons or no
 29 more than five gaming enforcement officers for each excursion
 30 gambling boat or gambling structure with a patron capacity of
 31 at least two thousand persons, plus any direct and indirect
 32 support costs for the agents and officers, for the division of
 33 criminal investigation's excursion gambling boat or gambling
 34 structure activities. However, the division of criminal
 35 investigation may add one additional special agent to the

1 number of special agents specified in this subparagraph for
2 each excursion gambling boat or gambling structure if at least
3 two gaming enforcement officer full-time equivalent positions
4 are vacant. Otherwise, the division of criminal investigation
5 shall not fill vacant gaming enforcement officer positions.

6 (2) On or after July 1, 2017, the cost of salaries for no
7 more than three special agents for each excursion gambling
8 boat or gambling structure, plus any direct and indirect
9 support costs for the agents, for the division of criminal
10 investigation's excursion gambling boat or gambling structure
11 activities.

12 *b.* Notwithstanding sections 8.60 and 99F.4, the portion
13 of the fee paid pursuant to paragraph "a" relating to the
14 costs of special agents and officers plus any direct and
15 indirect support costs for the agents and officers, for the
16 division of criminal investigation's excursion gambling boat
17 or gambling structure activities, shall be deposited into the
18 gaming enforcement revolving fund established in section 80.43.
19 However, the department of public safety shall transfer, on an
20 annual basis, the portion of the regulatory fee attributable
21 to the indirect support costs of the special agents and gaming
22 enforcement officers to the general fund of the state.

23 *c.* Notwithstanding sections 8.60 and 99F.4, the portion of
24 the fee paid pursuant to paragraph "a" relating to the costs
25 of the commission shall not be deposited in the general fund
26 of the state but instead shall be deposited into the gaming
27 regulatory revolving fund established in section 99F.20.

28 *d.* By January 1, 2014, and by January 1 of every year
29 thereafter, the division of criminal investigation shall
30 provide the commission with a report detailing the activities
31 of the division during the previous fiscal year for each
32 excursion gambling boat and gambling structure.

33 Sec. 24. Section 654.4B, subsection 2, paragraph b, Code
34 2013, is amended by striking the paragraph.

35 Sec. 25. Section 714.16C, subsection 2, Code 2013, is

1 amended to read as follows:

2 2. For each fiscal year, not more than one million ~~one~~
 3 ~~hundred twenty-five~~ eight hundred seventy-five thousand dollars
 4 is appropriated from the fund to the department of justice to
 5 be used for public education relating to consumer fraud and for
 6 enforcement of section 714.16 and federal consumer laws, and
 7 not more than ~~seventy-five~~ one hundred twenty-five thousand
 8 dollars is appropriated from the fund to the department of
 9 justice to be used for investigation, prosecution, and consumer
 10 education relating to consumer and criminal fraud committed
 11 against older Iowans.

12 Sec. 26. 2011 Iowa Acts, chapter 134, section 43, subsection
 13 9, as amended by 2012 Iowa Acts, chapter 1134, section 10, is
 14 amended to read as follows:

15 9. For costs associated with the training and operation
 16 of the statewide interoperable communications system board
 17 ~~excluding salaries and contracts or deposit in the statewide~~
 18 public safety broadband interoperability communications fund
 19 established by this 2013 Act in section 80.44, as determined
 20 by the department:

21 \$ 48,000

22 Sec. 27. IOWA CORRECTIONS OFFENDER NETWORK —
 23 FUND. Notwithstanding any provision of law to the contrary,
 24 the unencumbered or unobligated balance of the Iowa corrections
 25 offender network fund at the close of the fiscal year beginning
 26 July 1, 2012, or the close of any succeeding fiscal year that
 27 would otherwise be required by law to revert to, be deposited
 28 in, or to be credited to the Iowa offender network fund shall
 29 instead be credited to the general fund of the state.

30 Sec. 28. GAMING ENFORCEMENT STUDY. The division of criminal
 31 investigation of the department of public safety and the Iowa
 32 gaming association shall jointly or separately file a report
 33 with the co-chairpersons and ranking members of the joint
 34 appropriations subcommittee on the justice system and the
 35 legislative services agency by December 15, 2013, detailing the

1 activities of gaming enforcement officers and special agents
2 working at excursion gambling boats, gambling structures, and
3 racetrack enclosures. The report shall include the number
4 of incidences the gaming enforcement officers handle versus
5 private security, the number of fraud investigations and
6 background checks performed by the special agents, and the
7 percentage of time gaming enforcement officers and special
8 agents work on gaming-related and nongaming-related cases.
9 The report shall also include the time periods each excursion
10 gambling boat, gambling structure, and racetrack enclosure
11 are not staffed by at least one gaming enforcement officer or
12 special agent.

13 Sec. 29. REPEAL. Section 904.118, Code 2013, is repealed.

14 Sec. 30. EFFECTIVE UPON ENACTMENT. The following
15 provision or provisions of this Act, being deemed of immediate
16 importance, take effect upon enactment:

17 1. The section of this Act amending 2011 Iowa Acts, chapter
18 134, section 43, subsection 9, as amended by 2012 Iowa Acts,
19 chapter 1134, section 10.

20 2. The section of this Act enacting the section tentatively
21 numbered 80.44.

22 3. The section of this Act relating to the balance of the
23 Iowa corrections offender network fund.